

DOCKET NO: ISA-048.06  
(Old Docket No. IMIN.P-002-2)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Davis, et al.  
Serial No: 09/944,389  
Confirmation No: 9864  
Filed: September 4, 2001  
For: Assays  
  
Examiner: Nguyen, Bao Thuy L.  
Art Unit: 1641

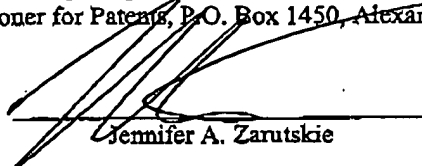
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Jennifer A. Zarutskie

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**PETITION TO WITHDRAW APPLICATION FROM ISSUE**  
**UNDER 37 C.F.R. §1.313(c)(2) AND M.P.E.P. §1308**

Sir/Madam:

Pursuant to 37 C.F.R. § 1.313(c)(2), Applicant petitions to withdraw the above-referenced patent application from issue. Applicant submits herewith a Request for Continued Examination (RCE) and an IDS that includes a PTO-1449. Applicant paid the Issue Fee for the above-referenced patent application on February 17, 2005.

The Commissioner is hereby authorized to withdraw the petition fee of \$130 under 37 C.F.R. §1.17(h) and the RCE fee of \$790 under 37 C.F.R. §1.17(e) to Deposit Account Number 06-1448, Reference ISA-048.06. If the amount is insufficient, the Commissioner is hereby authorized to credit any overpayment or charge any deficiencies to the same Deposit Account.

13/25/2005 12:11 PM 746879.1 06/27/2005

06/27/2005 746879.1 06/27/2005

Serial No.

-2-

Art Unit

The Office is requested to telephone Applicants' undersigned counsel at the number given below if any questions should arise in connection with this matter.

Respectfully submitted,  
FOLEY, HOAG LLP



Jennifer A. Zarutskie, Ph.D.  
Reg. No. 50,558  
Attorney for Applicants

**Customer No: 25181**  
Patent Group  
Foley, Hoag LLP  
155 Seaport Blvd.  
Boston, MA 02210-2600  
Tel. (617) 832-1000  
Fax. (617) 832-7000

Dated: June 27, 2005



**FOLEY  
HOAG LLP**  
ATTORNEYS AT LAW

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Jennifer A. Zarutskie,

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**Message**

Please find following a Petition to Withdraw USSN 09/944,389 from Issue along with an RCE and submission and accompanying requisite paperwork.

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PTO/SB/97 (09-04)

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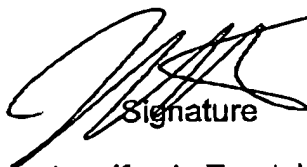
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3. Statement Under 37 CFR 3.73(b) (1 page)
4. Change of Docket No. Request (1 page)
5. Petition to Withdraw Application From Issue (2 pages)
6. Request for Continued Examination (1 page)
7. Information Disclosure Statement (3 pages)
8. PTO-1449 (1 page)
9. Reference B1 (17 pages)
10. Reference B2 (13 pages)

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